



**TRUCK
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July 11, 2003

Jacqueline Glassman
Chief Counsel
National Highway Traffic Safety Administration
400 Seventh Street, SW
Washington, DC 20590

REFERENCE: Early Warning Reporting requirements for manufacturers of chassis-cab incomplete vehicles.

Dear Ms. Glassman:

The Truck Manufacturers Association (TMA), whose members include all of the major North American manufacturers of medium and heavy-duty trucks (greater than 8845 kilograms (19,500 pounds) gross vehicle weight rating) submits the following request for interpretation in response to the subject Final Rule. TMA member companies include: **Ford Motor Company, Freightliner LLC, General Motors Corporation, International Truck and Engine Corporation, Isuzu Motors America, Inc., Mack Trucks, Inc., PACCAR Inc, and Volvo Trucks North America, Inc.**

As you are aware, a number of our member companies annually manufacture significant numbers of incomplete motor vehicles, many in the form of chassis-cabs. Our reading of the April 11, 2003 interpretation letter the Agency wrote to Ms. Kimberly Boucher of Spartan Motors Inc., a comparatively small manufacturer, indicates that all manufacturers of incomplete motor vehicles are required to report to the Agency per the limited requirements of 49 CFR 579.27, as opposed to the full reporting requirements of 49 CFR 579.22.

In part, the agency appears to have based its interpretation on the assumption that incomplete vehicle claims, notices, and reports are principally received by final-stage manufacturers.

“...pre-decisional information that may lead to defect or noncompliance determination, as contemplated by the TREAD Act, is much more likely to be received by the manufacturer who completes the vehicle (and certifies its compliance with all applicable Federal motor vehicle safety standards) than by the incomplete vehicle manufacturer.”

Also in the Spartan interpretation, you state:

“It is our opinion that most relevant claims, notices, and reports regarding completed vehicles would go in the first instance to the manufacturer completing the vehicle, and not to the incomplete vehicle manufacturer.”

Although this may be true in the case of Spartan, in the case of chassis-cab manufacturers, warranty claims, field reports, consumer complaints, etc., are usually filed with the chassis-cab manufacturers and their dealers, not the final stage manufacturers.

We recognize that chassis-cab incomplete vehicles are a unique situation within vehicle manufacturing and are warranted in a unique manner, but they are significant in number. For that reason, TMA is requesting the Agency’s interpretation of the responsibilities of chassis-cab manufactures as it relates to EWR. Should our member companies that manufacture chassis-cab incomplete vehicles report per the requirements of section 579.22 or per the requirements of section 579.27 with regard to the chassis-cab vehicles they produce?

Sincerely,

A handwritten signature in blue ink, appearing to read "R. M. Clarke", with a stylized flourish at the end.

Robert M. Clarke
President